

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

JOHN FITZGERALD ENGLISH,

Petitioner,

v.

CASE NO. 2:07-CV-11005  
HONORABLE JOHN CORBETT O'MEARA

SHIRLEE HARRY,

Respondent.

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**ORDER DENYING PETITIONER'S MOTIONS FOR A CERTIFICATE OF  
APPEALABILITY, FOR LEAVE TO PROCEED ON APPEAL  
IN FORMA PAUPERIS, AND FOR APPOINTMENT OF COUNSEL**

This matter is before the Court on Petitioner's motions for a certificate of appealability, for leave to proceed on appeal *in forma pauperis*, and for appointment of counsel regarding the Court's dismissal of his habeas petition on statute of limitations grounds. The Court, however, denied a certificate of appealability and denied leave to proceed on appeal *in forma pauperis* in its opinion and order dismissing the petition. The Court finds no reason to reconsider that decision. A motion for reconsideration which presents issues already ruled upon by the court, either expressly or by reasonable implication, will not be granted. *See Hence v. Smith*, 49 F. Supp. 2d 547, 550 (E.D. Mich. 1999); *Czajkowski v. Tindall & Assoc., P.C.*, 967 F. Supp. 951, 952 (E.D. Mich. 1997). Petitioner has not met his burden of showing a palpable defect by which the Court has been misled or his burden of showing that a different disposition must result from a correction thereof, as required by Local Rule 7.1(g)(3).

Accordingly, the Court **DENIES** Petitioner's motion for a certificate of appealability and

for leave to proceed on appeal *in forma pauperis*. Given this determination, the Court also **DENIES** Petitioner's motion for appointment of counsel.

**SO ORDERED.**

s/John Corbett O'Meara  
United States District Judge

Date: January 3, 2008

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, January 3, 2008, by electronic and/or ordinary mail.

s/William Barkholz  
Case Manager